

Remarks

The Office action mailed June 25, 2010, has been reviewed and carefully considered. New claim 40 has been added. Support for claim 40 is found in the specification, for example, in paragraphs [0066] and [0082]. Entry of this amendment is respectfully requested.

35 U.S.C. §103

Claims 1-8, 19-22, and 33-39 were rejected for alleged obviousness in view of Lees (U.S. Patent No. 5,849,301) and further in view of Chu et al. (*Infection and Immunity*, 40(1):245-256, 1983). The PTO asserts that Lees discloses reacting a polysaccharide with an oxidizing agent as recited in claim 1. However, the Lees method is directed to reacting a polysaccharide with a cyanylating agent (see column 5, lines 54-57; column 8, lines 30-35; and column 9, lines 17-25). The Lees method does not include reacting a polysaccharide with an oxidizing agent. Chu et al. is simply relied upon for allegedly disclosing reacting a protein in the presence of EDC, and thus does not cure the fatal lack of disclosure in Lees. Accordingly, for this reason alone, the pending obviousness rejection must be withdrawn.

In addition, the method of claim 1 includes raising a pH of the solution of the hydrazide-activated protein to from about 7.0 to about 11; and buffer exchanging the solution of the hydrazide-activated protein to a pH of from about 10.0 to about 11.0. This inventive aspect of the method provides a significant advantage compared to the prior art. In particular, raising the pH of the activated protein maintains the solubility of the protein meaning that the yield of the conjugation reaction is greatly increased (see paragraphs [0064], [0065], [0079], and [0083]).


It is respectfully submitted that the present application is condition for allowance. Should there be any questions regarding this application, examiner Swartz is invited to contact the undersigned attorney at the telephone number shown below.

Respectfully submitted,

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